IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WA.No. 846 of 2007()

AGAINST THE JUDGEMENT IN OP.15294/2000 DATED 30.05.2006.
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APPELLANTS/ PETITIONERS IN THE OP
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1. K.B.JAMALUDHEEN,
   T.C.14/1254, OBSERVATION LANE, NEAR LENIN NAGAR,
   PALAYAM, THIRUVANANTHAPURAM.

2. MOHAMMED SALIM,
   T.C.3/2480, NEAR WOOD BRIDGE, EAST PATTOM,
   TRIVANDRUM-4.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENT/ RESPONDENT IN THE OP

THE DIVISIONAL MANAGER,
NATIONAL INSURANCE COMPANY LTD.,
DIVISIONAL OFFICE, POST BOX NO.434,
ST.JOSEPH'S PRESS BUILDING, VAZHUTHACAUD,
THIRUVANANTHAPURAM-695 014.

BY ADV. SRI.LAL GEORGE

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.A. No. 846 OF 2007

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Dated this the 19th June, 2007

J U D G M E N T

H.L. Dattu, C.J.:

This appeal arises out of the judgment delivered by the learned single Judge in O.P. No. 15294 of 2000 dated 30th May, 2006.

2. After going through the pleadings and after hearing the counsel for the parties to the lis, the learned single Judge had come to the conclusion that various disputed facts are involved in the matter and therefore, had relegated the parties to approach appropriate forum, which can record the evidence of the parties and can arrive at a proper conclusion.

3. Having gone through the pleadings and having heard the counsel for the appellants, we are of the opinion that the learned single Judge has not committed any error in the impugned judgment. Therefore, no interference is called for in this Writ Appeal. Accordingly, the Writ Appeal requires to be rejected and it is rejected.

4. The appellants are granted another two months to approach the appropriate forum. If such an application is filed by the appellants, the concerned authority will not reject the application merely on the ground of delay and laches.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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